

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHIKEB SADDIOZAI,
Plaintiff,

v.

RON DAVIS, et al.,
Defendants.

Case No. 18-cv-05558 BLF (PR)

**ORDER GRANTING LEAVE TO
FILE RENEWED MOTION FOR
TERMINATING AND MONETARY
SANCTIONS; SETTING BRIEFING
SCHEDULE**

(Docket. No. 89)

Plaintiff, a California state prisoner, filed a *pro se* civil rights complaint under 42 U.S.C. § 1983, against employees at San Quentin State Prison (“SQSP”). The third amended complaint (“TAC”) is the operative complaint in this action. Dkt. No. 29. On August 23, 2023, the Court denied Plaintiff’s objection to oral deposition and request for written deposition, and also denied Defendant’s motion for terminating and monetary sanctions without prejudice. Dkt. No. 88. Plaintiff was ordered to appear at the oral deposition and answer all questions in good faith. *Id.* at 7. In the event Plaintiff failed to comply, the Court granted Defendant leave to move the Court to reconsider his motion for terminating and monetary sanctions. *Id.*

On October 4, 2023, Defendant filed notice that he attempted to depose Plaintiff

that day, as noticed, but was unable to do so. Dkt. No. 89. Defendant intends to renew his motion for terminating sanctions, and requests leave to file it no later than October 18, 2023. *Id.* at 2. Good cause appearing, the motion is GRANTED.

CONCLUSION

For the foregoing reasons, the Court orders as follows:

1. Defendant's request to file a renewed motion for terminating and monetary sanctions is **GRANTED**. Dkt. No. 89. Defendant's motion shall be filed **no later than October 18, 2023**.

2. Plaintiff's opposition to Defendant's motion shall be filed **no later than twenty-eight (28) days** from the date Defendant's motion is filed.

3. Defendant shall file a reply brief **no later than fourteen (14) days** after Plaintiff's opposition is filed.

4. The motion shall be deemed submitted as of the date the reply brief is due. No hearing will be held on the motion unless the Court so orders at a later date.

This order terminates Docket No. 89.

IT IS SO ORDERED.

Dated: __October 6, 2023__


BETH LABSON FREEMAN
United States District Judge